

RECEIVED
CENTRAL FAX CENTER

APR 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/539,914 Confirmation No.: 6534
Applicant(s): Droesbeke
Filed: 11/14/2005
Art Unit: 2831
Examiner: Ngo, Hung V.
Title: Shielding Cage

Attorney Docket No.: 003D.0068.U1(US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response To Office Action

Sir:

This is in response to the Office Action mailed 01/18/2007 in regard to the above-identified patent application.

Claims 15-21, 25-32 and 36-37 were rejected under 35 U.S.C. §102(b) as being anticipated by Benzoni (US 5,416,668). Claims 22-24 and 33-35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Benzoni (US 5,416,668). The examiner is requested to reconsider these rejections.

The examiner stated that the limitation of "die case" does not result in a structural difference. This is incorrect. The examiner is directed to MPEP 2113. As stated in this section of the MPEP,

"The structure implied by the process steps should be considered when assessing the patentability of product-by-process claims over the prior art, especially where

Appl. No.: 10/539,914

Reply to Office Action of: 01/18/2007

the product can only be defined by the process steps by which the product is made, or where the manufacturing process steps would be expected to impart distinctive structural characteristics to the final product. See, e.g., In re Garnero, 412 F.2d 276, 279, 162 USPQ 221, 223 (CCPA 1979) (holding "interbonded by interfusion" to limit structure of the claimed composite and noting that terms such as "welded," "intermixed," "ground in place," "press fitted," and "etched" are capable of construction as structural limitations.)"

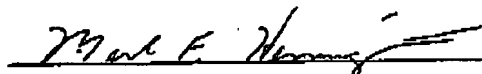
In the present case, "Die-cast shielding cage" has structural attributes which the housing 20 of Benzoni does not have. Benzoni merely discloses that the housing 20 comprises a molded non-conductive member; such as molded plateable engineering grade plastic (column 2, lines 26-27 and 38-40). Surfaces of the housing 20 are plated with an electrically conductive material, such as copper (column 3, lines 29-31). A plastic member plated with metal is different from a die-cast member. A die-cast member is more robust than a plastic member having a plated surface. A die-cast member has different electrical conductivity than a plastic member having a plated surface; plastic is electrically insulative. A die-cast member has less resistance to conduct heat than a plastic member having a plated surface. A plastic member is more resistant to heat conduction than a die-cast member. A die-cast member can absorb more energy than a plastic member having a plated surface, such as when heating a solder pin; the terminal resistance fuse point is higher for a die cast member.

Appl. No.: 10/539,914
Reply to Office Action of: 01/18/2007

The structure of a die-cast member is different than the structure of a plastic member having a plated surface. Failure of the examiner to give the limitation "die-cast shielding cage" patentable weight is reversible error. The examiner is requested to reconsider his rejections of the claims in view of the comments noted above.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,


Mark F. Harrington (Reg. No. 31,686)

4/12/07
Date

Customer No.: 29683
Harrington & Smith, PC
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

4-12-07
Date


Name of Person Making Deposit